



SAN JOAQUIN COUNTY

FLOOD CONTROL & WATER CONSERVATION DISTRICT

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FLOOD CONTROL ENGINEER
JUL 03 2007

June 28, 2007

Ms. Kathleen Schaefer, P.E., CFM
U.S. Department of Homeland Security
Federal Emergency Management Agency, Region IX
1111 Broadway, Suite 1200
Oakland, California 94607-4052

SUBJECT: BEAR CREEK FEMA MAINTENANCE LEVEE STATUS

Dear Ms. Schaefer:

This letter is in response to the Federal Emergency Management Agency meeting on May 24, 2007, in Stockton California, pertaining to the Map Modernization Program and the designation of the entire reach of Bear Creek as maintenance deficient. Bear Creek is described on the Federal Emergency Management Agency San Joaquin County Levee Status map as "Certified: Accreditation pending resolution of Operations and Maintenance deficiencies," and is delineated with a green and red dotted line. During conversations with Federal Emergency Management Agency and U.S. Army Corps of Engineers (Corps) staff, it was indicated that the San Joaquin County Flood Control and Water Conservation District (District) should provide information on needed changes to the map and the levee designation.

Before the May 24, 2007 meeting, the State Reclamation Board and the Department of Water Resources confirmed that all maintenance issues, except for some encroachments on Bear Creek, had been resolved. The remaining deficiencies are residential encroachments along a short section on the south bank, west of Interstate 5, for approximately 600 feet. The District is currently working with the Department of Water Resources, The State Reclamation Board, and the Corps to determine if these encroachments are permitted or illegal. To determine the possible impacted area, the District hired a consultant to review the information and provide an analysis of the area (see enclosure). Based on the analysis performed, the only area that could be affected by the encroachments discussed above would be on the south bank of the levee from Thornton Road west to Trinity Road.

The Water Conservation District is requesting that the maintenance deficiencies designation on the map be revised to show only a maintenance deficiency on the south bank levee from Thornton Road to Trinity Road, and the remaining levee sections of Bear Creek be accredited. We continue to work closely with the U.S. Army Corps of Engineers, The State Reclamation Board and the Department of Water Resources to address the encroachment issues.

Please contact me at, (209) 953-7617 as soon as possible if you have any additional requirements in order to update the Bear Creek Levee Status.

Sincerely,

ROGER CHURCHWELL
Senior Civil Engineer

RC:MM:rc
FM-7F134-R1

Enclosure

c: Jeremy Arrich, Depart of Water Resources
Jack Eldridge, Michael Baker, Jr., Inc.
James Giottonini, City of Stockton
Meegan Nagy, U.S.A.C.E.

Christopher Neudeck, KSN
Jay Punia, State Reclamation Board
Judy Soutiere, U.S.A.C.E.
T. R. Flinn, San Joaquin County
Steven Winkler, San Joaquin County

Memorandum

PETERSON . BRUSTAD . PIVETTI . INC.
ENGINEERING AND ARCHITECTURE



Date: June 28, 2007
To: Roger Churchwell/SJCFCWCD
From: Dave Peterson
Copies: Jim Giottonini/SJAFCA

Subject: Bear Creek – Encroachment Impacted Area

The USACE has listed the Bear Creek system as being maintenance deficient due to encroachments. This memorandum addresses the potential impacted area due to the encroachments. Because the encroachments are concentrated in a small area near the mouth of Bear Creek, the potential area would be limited.

The subject encroachments consist of amenities of 7 single family residences which are built on the levee prism, including boat docks, fences, and landscaping. The 7 residences are concentrated in the Twin Creeks development along the south bank of Bear Creek, west of I5 and east of Atlas Tract (RD 2126) (see attached figure). This section of the south levee is bounded on the west by an Atlas Tract dry land levee and on the east by I5. The dry land levee is a Project levee that was included in the Twin Creeks LOMR in the 1980s. It is not currently on the FEMA May 2007 Levee Status map (attached), but should be added as a green, green/red, or yellow line. I5 was historically a "levee-like structure", but will not be accredited in the future. This analysis assumes that I5 would not provide protection in the event of a Bear Creek south levee failure.

The encroachment deficiencies identified by the USACE are near the mouth of Bear Creek in the Delta. The 100-year water surface profile at this location is nearly flat. If this section of levee were to fail, floodwaters could come from either upstream Bear Creek or the Delta. The 100-year water surface elevation (WSE) in the Delta approximately 600' downstream is 8.68' NGVD. At the downstream face of I5, the WSE is 9.63' NGVD (see attached hydraulics table from the most recent FEMA FIS). Because the Mosher Slough levees to the south are accredited on the FEMA "Levee Status" map, Mosher Slough would form a southern barrier to the area. The attached figure shows the potential extent of the area impacted by the encroachments.

Because the mechanism controlling the potential impact is from the downstream end of the system, rather than overland, it is our conclusion that the encroachments do not affect the entire Bear Creek system, and that full accreditation should be granted for all but the encroached reach; that part of P331 lying west of I5.